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TAGS: [PGOV](#) [PREL](#) [EFIN](#) [BE](#)
SUBJECT: LETERME HANGS ON THROUGH "FORTISGATE"

REF: A. BRUSSELS 1918
[1](#)B. BRUSSELS 1922

Classified By: Political-Economic Counselor Richard Eason, reason 1.4(b)
) and (d)

[1](#)1. (C) After December 18, a day of drama in the House of Representatives and in Yves Leterme's government, Leterme remains Prime Minister for the time being. Leterme's letter to the Minister of Justice detailing contacts with the husband of one of the judges in the Fortis case and with the "substitut" who represents the public interest at the trial court level, has been answered by two other open letters, one of which was mentioned Ref B. That letter, the text of which was made public December 19, is from the First President of the Appeals Court (Cour de Cassation), Ghislain Londers, and states that when Leterme's letter is put in parallel with "certain initiatives" in the Fortis case, "there are inevitably some indications which appear to show that everything was done to prevent the decision of the court of appeal from being issued as intended and that the matter be heard by another panel of judges." The First President has promised to provide a more detailed report to the Cabinet. It is possible that resignations could still follow if the evidence is sufficiently damning.

[1](#)2. (C) Another letter, from the Prosecutor General of Brussels, is dated December 15, three days before Londers' letter. This one recounts several potential errors in the Fortis proceedings, mostly arising from the absence, officially because of illness, of one of the judges, Christine Shurmans. Some see this as a mitigating factor in Leterme's favor. It was Shurman who had refused to sign the appeals court decision against the government and whose husband's attempts to contact the Prime Minister were outlined in Leterme's letter.

[1](#)3. (C) At about midnight December 18, the Cabinet announced Leterme's resignation was impeded by the lack of any clear candidate to succeed him. Moreover, Leterme reportedly made it clear that if he resigned, others would have to resign as well, perhaps including Minister of Finance Didier Reynders and Minister of Justice. Whether the government falls or not, or Leterme is forced to resign, the PM's effectiveness has definitely been compromised by this week's events.

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